

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GUSTAVO CARDENAS, JUSTINO NARANJO VARGAS,
SALVATORE NARANJO VARGAS, RUBIN NAVA,
Individually and on behalf of other persons similarly
situated who were employed by AAA CARTING
And RUBBISH REMOVAL CORP., and/or
PASQUALE CARTALEMI and PASQUALE
CARTALEMI, JR., ANGELO CARTALEMI, or any
Other entities affiliated with or controlled by
AAA CARTING And RUBBISH REMOVAL CORP.
And PASQUALE CARTALEMI,

12-CV-7178 (VLB)

CLAIM FORM AND RELEASE

Plaintiffs,

-v-

AAA CARTING and RUBBISH REMOVAL
CORP. and PASQUALE CARTALEMI and/or
PASQUALE CARTALEMI and PASQUALE
CARTALEMI, JR. and ANGELO CARTALEMI or any
Other entities affiliated with or controlled by
AAA CARTING And RUBBISH REMOVAL CORP.
And PASQUALE CARTALEMI, PASQUALE
CARTALEMI, JR., And ANGELO CARTALEMI,
and JOHN DOE BONDING COMPANIES 1-20,
and John and Jane Does,

Defendants.

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CLAIM FORM AND RELEASE

Instructions

In order to receive any portion of the settlement funds described in the Notice of Pendency of Class Action and Proposed Settlement in the above-stated action ("Notice"), you must complete this form, sign and date before a notary, and return the completed Claim Form and Release to the Class Counsel at the address below postmarked by the June 25, 2015 Bar Date.

Change of Contact Information

It is your responsibility to keep a current name and address on file with the Class Counsel. You must notify the Class Counsel of any change of name or address by providing notice to:

RE: Gustavo Cardenas et al. v. AAA Carting, et al.
Netanel Newberger, Esq.
Milman Labuda Law Group PLLC- Class Counsel
3000 Marcus Avenue, Suite 3W8
Lake Success, NY 11042
(516) 328-8899

CLAIM FORM AND RELEASE

THIS FORM MUST BE POST-MARKED NO LATER THAN JUNE 25, 2015.

[to be inserted by Class Counsel:]

[To be provided by employee:]

Name: Kenneth Miller

Name/Address Changes, if any

Address: P.O. Box 4741

City: State: Zip Code: Crompond NY
10517

Social Security No.: 085-74-4360

Dates of Employment: June 14, 2013 to Sept 4, 2014
914 208-1987

Home Telephone Number

I understand that this lawsuit is being brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 201, et seq. ("FLSA") and New York State labor laws. I hereby consent and agree to join the case of Gustavo Cardenas et al. v. AAA Carting, et al., Case No. 12-7178. I consent and agree to be bound by any action by the Court. I further agree to be bound by the class action settlement approved by my attorneys and approved by this Court as fair, adequate, and reasonable.

I hereby designate the law firm of Milman Labuda Law Group PLLC to represent me in this action. My signature below constitutes a full and complete release and discharge of Defendants AAA Carting & Rubbish Removal Inc., Pasquale L. Cartalemi, Pasquale P. Cartalemi, Jr., Angelo Cartalemi, their present and former owners, stockholders, predecessors, successors, assigns, agents, directors, officers, employees, representatives, insurers, attorneys, parents, subsidiaries, affiliates, benefit plans, plan fiduciaries, and all persons acting by, through, under or in concert with any of them (collectively, "Defendants") by me and by my respective heirs, beneficiaries, devisees, legatees, executors, administrators, trustees, conservators, guardians, personal representatives, successors-in-interest, and assigns, from any and all claims, demands, rights, liabilities, expenses, and losses of any kind, that I have, had, or might have had against Defendants under the FLSA and New York Labor Law based on any act or omission that occurred at any time up to and including March 30, 2013, related to any of the facts or claims alleged in this Litigation, even if presently unknown and/or un-asserted, including but not limited to: The Fair Labor Standards Act of 1938 ("FLSA"), 29 U.S.C. § 201, et, seq. and the wage and hour laws and regulations of the state of New York, including, the New York Labor Law Articles 6 and 19, the New York Minimum Wage Act, §§650 et. seq. and Minimum Wage Orders, 12 N.Y.C.R.R. § 142-1.1 et. seq., and 12 N.Y.C.R.R. §§ 142-2.4, 142-3.4, all derivative benefit claims (i.e., claims for benefits resulting from alleged failure to pay overtime or wages, both ERISA and non-ERISA benefits), interest on such claims, and attorneys' fees, expenses and costs related to such claims in exchange for a proportionate share of the Total Allocated Settlement Payment based on the number of work weeks employed during the period September 24, 2006 through March 30, 2013.

By executing and submitting this Claim Form and Release to Class Counsel, I hereby attest/affirm that I worked overtime hours for Defendants for which I was not appropriately compensated.

I declare under penalty of perjury that the above information is correct.

June 24, 2015
Date

Kenneth H. Miller
Signature

Sworn to before me this
24th day of June, 2015

Daniel C. McKane
Notary Public

